

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:

VIKRAM SAGAR PASALA

CHAPTER 13
CASE NO. 24-44296-MAR
JUDGE MARK A RANDON

Debtor _____ /

TRUSTEE'S OBJECTION TO Motion to Reinstate Case

Now Comes the Chapter 13 Trustee, KRISPEN S. CARROLL, and objects to the Motion to Reinstate Case as follows:

1. Trustee objects to debtor's motion to reinstate the case where it does not appear that the debtor is able or willing to comply with the Bankruptcy Code, Federal and Local Bankruptcy Rules. Debtor's case was previously dismissed by the Court for the debtor's failure to file all required documents under 11 U.S.C. § 521(a)(1) and resolve the deficiency notices.
2. Debtor's 11 U.S.C. § 341 First Meeting of Creditors was scheduled for 6/14/2024. The debtor failed to provide the 60 days of prefilings pay advices and tax returns pursuant to 11 U.S.C. § 521(a)(1)(iv) and (2)(A); failed to provide identification documents, financial information and the tax return pursuant to F.R.Bankr.P. 4002(b) (1), (2), and (3) and failed to comply with the production of the documents "no later than 14 days prior to the meeting" as required by E. D. Mich. LBR 2003-2(c). The only document received prior to the 6/14/2024 Meeting of Creditors was a pay stub dated 5/9/2024 which was sent twice on 6/10/2024.
3. Pursuant to the Order Adjourning Section 341 Meeting of Creditors and Confirmation Hearing entered on 6/17/2024, debtor was required to file and/or serve the following documents on the Trustee's office, on or before July 5, 2024: 60-days of pre-filing pay stubs; 2022 and 2023 federal income tax returns with

W-2s/1099s (Per IRS, POC the Debtor has not filed the 2023 tax return); Payment Order or Motion To Excuse Payment Order filed / entered with the Court, on or before 7/5/2024; Identification Documents (Clearer Driver's License & Copy of SS Card). The Trustee received a copy of the 2022 federal income tax return and one post-petition pay stub (along with another copy of the pay stub dated 5/9/24).

4. The Trustee submitted her affidavit of default for debtor's failure to provide a copy of the 2023 income tax return and the failure to have a payment order or a motion to excuse filed on or before 7/5/2024. The Application for Extension provided by the debtor was an application for an extension to file the State of Michigan return, not the federal return and did not reflect acceptance by the taxing authority. After dismissal of the case, the debtor uploaded a copy of the 2023 federal tax return.
5. The debtor's first plan payment to the Trustee was due on 5/30/2024 pursuant to 11 U.S.C. § 1326(a)(1)(A). At the time of dismissal, the debtor had not made any plan payments and had a delinquency in the amount of \$7,600.00. The debtor's payment mailed on 7/25/2024 has posted on the Trustee's records; however, as of 7/30/2024 three payments were due and as such, the debtor is still delinquent by \$7,600.00.
6. Trustee notes that prior to the entry of the dismissal order, creditor Oxford Commercial Finance filed a motion for an examination of the debtor which indicates that the debtor has not disclosed his interest in 5 of 7 businesses on Schedule A/B or paragraph 27 of the Statement of Financial Affairs. The U.S. Attorney filed an objection to confirmation of the debtor's Plan on 6/18/2024.
7. Trustee opposes the relief requested based upon the deficiencies noted above and lack of good cause shown.

Wherefore, the Chapter 13 Trustee prays this Honorable Court deny the relief requested.

Dated: August 07, 2024

OFFICE OF THE CHAPTER 13 TRUSTEE -DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

/s/ KRISPEN S. CARROLL-mcs

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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed the **Trustee's Objection to Motion to Reinstate Case** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

ABDUL Q ARIF
1735 W 21ST ST
STE 200
WICHITA, KS 67203

August 07, 2024

/s/ Shannon Horton

SHANNON HORTON

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